

GOVERNMENT OF TELANGANA

ABSTRACT

Health, Medical and Family Welfare – Appointment on compassionate grounds - Implementation of Andhra Pradesh Administrative Tribunal order dt.10.10.2013 in O.A.No.3086, 4385 and 4367 of 2011 filed by Sri.A. Srinivas and two others –Orders - Issued.

HEALTH, MEDICAL AND FAMILY WELFARE (F1) DEPARTMENT

G.O.Rt.No. 59

Dated 26.07.2014

Read the following:-

1. From Director of Medical Education, Hyderabad, Lr.No.23802/ E4.A/ 2014, dt.26.05.2014.
2. From Superintendent, Mahathma Gandhi Memorial Hospital, Warangal, Lr.No. legal cell/428/2014, dt.18.06.2014.

ORDER:

In the letter 1st read above, the Director of Medical Education, Telangana, Hyderabad has stated that, the following employees working under the control of Superintendent, Mahathma Gandhi Memorial Hospital, Warangal have been permitted to retire from service on medical certificate issued by the Regional Medical Board, Mahathma Gandhi Memorial Hospital, Warangal without referring their cases to the district level committee Warangal for its approval.

1. Sri. A.Venkataiah, Lab Technician, F/o Sri.A. Srinivas , Date of Retirement:2-4-2002.
2. Smt. M.Adamma, F.N.O., M/o. M. Raju, Date of Retirement: 27-11-2001
3. Sri Md.Abdul Kareem, Driver, F/o.Md. Nayeem Pasha, Date of Retirement: 23-1-2002.

2. In the letter 2nd read above, the Superintendent, M.G.M. Hospital, Warangal has stated that after retirement of above employees their cases have been referred to the District Collector, Warangal for placing before the district level committee. The District Collector, Warangal has rejected their cases as the employees were retired without referring the cases to the DLC as per the instructions issued in Govt. Memo No.126755/Ser.G/A1/2005-1, G.A.(Ser.G) Dept., dt.2.11.2005 read with G.O.Ms.No.214, GA(Ser.A) Dept., dt.09.6.1998. Thereupon the dependents of the above employees have approached Hon'ble Andhra Pradesh Administrative Tribunal and filed O.A.s in the year 2009 and the Hon'ble Tribunal has directed the respondents (i.e. Superintendent, Mahathma Gandhi Memorial Hospital, Warangal) to consider the cases of the applicants for appointment on compassionate grounds as per the eligibility and suitability in terms of G.O.Ms.No.661, G.A.(Ser.G) Dept., dt.23.10.2008. Accordingly, the Superintendent, Mahathma Gandhi Memorial Hospital, Warangal has appointed the applicants in Procs. Dt.9.4.2010 and 22.11.2010. But the District Treasury Officer, Warangal has rejected the claim of their salaries as the G.O.Ms.No.661, G.A.(Ser.G) Dept., dt.23.10.2008 is applicable for prospective cases only and not applicable to old cases. Therefore, the employees appointed on compassionate grounds were terminated, and they have approached Tribunal and filed O.A.Nos. 3086, 4385 and 4367 of 2011, challenging the termination orders. The Hon'ble Tribunal in its orders dt.10.10.2013 suspended the termination orders of applicants issued by the Superintendent, Mahathma Gandhi Memorial Hospital, Warangal in Proc.No.E5/Spl//2010-11, dt.01.06.2011 and directed to the respondents to continue the applicants in service and pay salaries to them forthwith.

3. Aggrieved with the above Tribunal Orders, the Superintendent, Mahathma Gandhi Memorial Hospital, Warangal has filed W.P. in Hon'ble High Court against the Tribunal Orders and the High Court in its orders dt.2.4.2014 in W.P.No.3912 of 2011 and batch upheld the Tribunal orders.

4. Government after examination of the entire issue has decided and ordered to implement the Andhra Pradesh Administrative Tribunal orders dt.10.10.2013 in O.A.No.3086, 4385 and 4367 of 2011 and to continue the applicants (i.e.) Sri A.Srinivas, S/o Sri A.Venkataiah, Sri. M.Raju, S/o Smt. M.Adamma and Sri Md. Nayeem Pasha, S/o Md.Abul Kareem in service in relaxation of rules instructions.

(P.T.O.)

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5. The Director of Medical Education, Telangana, Hyderabad and the Superintendent. Mahathma Gandhi Memorial Hospital, Warangal are requested to take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

SURESH CHANDA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director of Medical Education, Telangana, Hyderabad
The Superintendent., Mahathma Gandhi Memorial Hospital, Warangal
Copy to:
The District Treasury Officer, Warangal
SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER